IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

OP.No. 36258 of 2001(N)

PETITIONERS:

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1. THE VAIPURE SERVICE CO-OPERATIVE BANK LTD.A.203, REPRESENTED BY ITS SECRETARY, P.O.MATHEW PULICHUMAVIL, KULATHUR, P.O. VAIPURE, MALLAPPALLY.

2. E.K.VASUDEVAN PILLAI, PRESIDENT , VAIPURE SERVICE CO-OPERATIVE BANK LTD. NO.A.203, KULATHUR, VAIPUR, MALLAPPALLY.

BY ADV. SRI.T.S.JOHN
SRI.K.BALACHANDRAN (PN)

RESPONDENTS:

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1. THE SECRETARY TO GOVERNMENT, CO-OPERATIVE DEPARTMENT, THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL) PATHANAMTHITTA.

3. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, (GENERAL) MALLAPPALLY.

4. ADVOCATE JOSE VEKANI, VEKANIL HOUSE, DIRECTOR BOARD MEMBER, OF VAIPURE SERVICE CO-OPERATIVE BANK LTD.A. 203, VAIPURE. MALLAPPALLY.

5. MARYKUTTY THOMAS, PERINCHERIL HOUSE, VAIPURE MALLAPPALLY.

BY GOVERNMENT PLEADER SMT. SMITHA BABU

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.59158 OF 2001 IN OP NO.36258 OF 2001

DISMISSED

SD/-
18-12-06. KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER' S EXHIBITS:

EXT. P1: COPY OF THE RESOLUTION NO.4 OF 2001-2002 DATED 21.4.2001.

EXT. P2: COPY OF THE RESOLUTION NO.116 OF 2001-2002 DATED 11.8.2001.

EXT. P3: COPY OF THE RESOLUTION NO.112 OF 2001-2002 DATED 11.8.2001.

EXT. P4: COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT.

EXT. P5: COPY OF THE COMPLAINT RECEIVED ON 17.11.2001 BY THE 1ST PETITIONER.

EXT. P6: COPY OF THE INTERIM ORDER PASSED IN O.P.NO.34440 OF 2001-Y. IN C.M.P. NO.56340/01

EXT. P7: COPY OF THE BYE LAWS AMENDED ON 12.8.2000.

EXT. P8: COPY OF THE REPRESENTATION DATED 22.10.2001 FILED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT.

EXT. P9: COPY OF THE ORDER DATED 17.9.2001 BY THE 2ND RESPONDENT.

/TRUE COPY/

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KURIAN JOSEPH, J.

O.P.No.36258/2001

Dated this the 18th day of December, 2006.

JUDGMENT

Petitioners approached this court with certain grievances regarding the appointment under the first respondent. It was their apprehension that though the promotions and appointments are made according to the classification, the department will still interfere with the appointment or would initiate action under section 38 of the Kerala Co-operative Societies Act, 1969. It is seen from the judgment in OP.No.34440/2001 the interim order regarding the appointments have already been made absolute. Therefore, practically nothing survives in this original petition. It is closed.

(KURIAN JOSEPH)
JUDGE

pmn/

KURIAN JOSEPH,J.

OP.NO.36258/2001

JUDGMENT

18th December,2006.